

Agenda Notice –

**The Mahaska County Board of Supervisors will meet on
Monday, March 21, 2022, at 9:00 a.m.
in the Third-floor conference room of the
Mahaska County Courthouse, 106 South 1st Street, Oskaloosa, IA.**

This meeting may be found at the following live stream link:

https://www.mahaskacounty.org/board_of_supervisors/meetings.php

In addition to this meeting being live-streamed, there will be available an audio-conferencing option for constituents to comment during public comments and any public hearing.

Audio conferencing number: 319-382-2695

Conference ID: 216 209 195#

You will be asked to state your name and press #.

If you call in and do not wish to speak, please be courteous and mute the microphone on your phone.

1. Approve agenda
2. Public Comments
3. 9:00 a.m. Public Hearing
 - * Road Vacation
4. Consider Resolution # 2022-12 – Final Order on Road Vacation
5. 9:10 a.m. Public Hearing
 - * Ordinance #62 – Setting Mahaska County Precincts
6. Action on Ordinance #62
7. Consider Memorandum of Agreement with City of Oskaloosa
 - * re: Election Precinct agreement
8. Consider and authorize signature on contract and performance bond
 - * Sec Rd Project #LFM-CO62(02)—7x-62
9. Consider 28E agreement with IA DNR re: cooperation between Mahaska County and IA DNR for the evaluation and issuance of private water well construction and reconstruction permits
10. Approve minutes Mar 7 & 16
11. Payroll change
 - * Auditor
 - * IRVM
12. Approve Liquor License Application
 - * Tassel Ridge – 12 month Class C Native Wine Permit
13. Authorize signature on HealthPartners Claim Deviation Form #12795021
14. Consider Mahaska County Solid Waste 28E
15. Consider General Assistance position status full or part-time
16. Public Comments
17. Committee Reports

**SETTING DATE AND TIME FOR
ROAD VACATION HEARING**

RESOLUTION NO. 2022- 08

WHEREIN it does appear that it will be to the public interest that the following described Secondary Roads, over which Mahaska County Board of Supervisors have jurisdiction, be vacated. Proceedings for the vacation thereof shall be instituted and date of hearing on said proposition that said highways be vacated should be fixed and notice thereof given.

Galeston Ave., commencing near the SE corner of section 19, Township 76 North, Range 16 West of the 5th P.M., Mahaska County, Iowa, thence north approximately ½ mile to the East ¼ corner of Section 19, Township 76 North, Range 16 West of the 5th P.M., Mahaska County, Iowa.

NOW THEREFORE, BE IT RESOLVED that the proceedings for vacating said above described portions of county secondary highways be and the same are hereby instituted under and pursuant to provisions of Sections 306.10 – 306.17 inclusive of the 2022 Code of Iowa, said hearing on the proposed vacating of portions of said highways shall be held in the Conference Room in the Mahaska County Courthouse in the City of Oskaloosa, Iowa, at 9:00 am, Central Time, on the 21 of March, 2022. Any persons interested therein may appear to object and be heard, and that after said hearing said Board of Supervisors shall enter an order, either dismissing the proceedings or vacating and closing said portions of said highways, or any parts thereof, by resolution in which event it may convey the property to all interested adjoining proprietors in an equitable manner. Each highway or portion thereof shall be considered separately and a decision to allow or disallow shall in no way affect other highways or portions thereof described in this resolution.

Passed and approved this 22 day of February, 2022.



~~Mark Groenendyk~~ Steve Wanders
Vice Chairman, Board of Supervisors

Attest: 

Sue Brown
Mahaska County Auditor



March 16, 2022

The Mahaska County Board of Supervisors met in special session on the above date at 9:00 a.m. in the third-floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk; Vice chairman – Steve Wanders; and Member – Chuck Webb. Also present were Joe Lancello, KBOE; Darin Hite, IT; Tom Flaherty, Econ Dir; Andrew Ritland, Attorney; and Susan Brown, Auditor. Curtis Dean, of SmartSource Consulting; and Todd Kielkopf of Kielkopf Advisory Services attended by telephone. Meeting was opened with a moment of silence.

It was moved by Wanders seconded by Webb to approve the agenda for today's meeting. All present voted aye. Motion carried.

Public Comments: None

SmartSource Consulting presented report concerning five proposals from four companies in response to the request for proposals issued on February 11, 2022. Response deadline was March 4 at 5:00 p.m. The RFP was intended to solicit responses from regional broadband providers for constructing fiber-to-the-premise projects that, with County funding, would provide high-quality internet services with at least 1 Gbps down and 1 Gbps up to the most county premises at the most affordable per-premise cost to the County. The county has allocated up to \$2,000,000 of its funding from the American Rescue Plan Act to provide funds toward such projects. Proposals were received from Mahaska Communications Group (MCG); Mediacom; Sully Telephone and Windstream. MCG submitted the most comprehensive proposal bringing fiber to the largest number of homes and businesses along with the lowest county share per premise in Phase I of their proposal and would seek the full \$2,000,000 from the county. They propose service to 973 premises by 09/03/26. The other three proposals were for small service areas within the county.

MCG also proposed a Phase II in which they would build out the remaining unserved and underserved areas of county using its own resources. Phase II represented an additional investment of \$8.3 million to serve an additional 1,971 residences and 171 businesses. To be completed by 12/31/2028.

It was moved by Webb seconded by Wanders to accept Phase I response proposal from Mahaska Communications Group; fill that name into Resolution #2022-11 Award for Fiber Optic Broadband Network Expansion; and include in agreement Phase II as presented. All present voted aye. Motion carried.

Resolution #2022-11

RESOLUTION OF AWARD FOR FIBER OPTIC BROADBAND NETWORK EXPANSION

WHEREAS Iowa Governor Kim Reynolds made available federal American Rescue Plan Coronavirus State and Local Fiscal Recovery Funds for broadband expansion in Iowa; and

WHEREAS to distribute these funds, the Office of the Chief Information Officer issued Notice of Funding Availability (NOFA) #007 for the Empower Rural Iowa Broadband Grant Program, and

WHEREAS on October 25, 2021, the Office issued Notice of Funding Availability #007 which begins the Application Acceptance Window for this NOFA until November 22, 2021 at 5:00 CST; and

WHEREAS eligible areas for NOFA #007 funding are identified on the State of Iowa Broadband Map Version 4 (Map V4); and

WHEREAS Mahaska County has received notice of Federal funding allocated under the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act (ARPA) signed into law on March 11, 2021; and

WHEREAS Sections 602(c)(1) and 603(c)(1) provide that funds may be used to make necessary investments in water, sewer, or broadband infrastructure; and

WHEREAS the Interim Final Rule published by the Department of the Treasury in 31 CFR Part 35 states that within eligible use categories, local governments have flexibility to determine how best to use its allocated funds to meet the needs of its communities and populations for any allowed use, including broadband infrastructure; and

WHEREAS the Department of the Treasury has published additional guidance as responses to Frequently Asked Questions (FAQ), most recently on July 19, 2021; and

WHEREAS the July 19, 2021 FAQ publication Section 6 prescribes additional guidance on how the County can flexibly determine the types of broadband projects, investments, transfers to private entities, and forgivable loans it chooses to make necessary investments in broadband infrastructure that provides reliable and consistent performance, including local hiring provisions that support economic recovery; and

WHEREAS on February 11, 2022, the Mahaska County Board of Supervisors (“Board”) adopted a Resolution of Support for Fiber Optic Broadband Network Expansion that allocated \$2 million of its ARPA funding for an incentive program and, in compliance with Iowa Code sections 26.3 and 26.7, issued a Request for Proposals to solicit projects to incentivize a provider committed to being able to provide all Mahaska County residents and businesses broadband services that meet the following criteria:

- Demonstrated Financial Capacity – Clearly identified public and private sources clearly identified prior to program application submittal.
- High-capacity networks - Any consumer (residential, commercial, anchor institutions) within the County and identified as underserved by the current Empower Iowa Broadband Grant Application (NOFA #007), and by the County, to have access to both internet upload and download speeds of at least 1 gigabit per second (1 Gbps) utilizing a fiber-to-the-premise network no later than December 31, 2026. Additional customers, outside those identified in NOFA #007, will be offered service by December 31, 2028.

- Reliability and Customer Service - The solution should provide consumers with an improved customer experience in all aspects, including response times and minimal service issues, which shall be validated by independent pre-construction and post-construction area customer satisfaction survey and speed test results submitted to the County by December 31, 2026. The provider shall maintained a local physical presence within the County, staffed by at least one local employee, shall be required of the applicant from the time of County award through December 31, 2029.
- Competitive pricing – Retail rates for services offered are to be priced competitively with other provider options in the County, documented by the applicant. And participate in federal and state programs that promote affordable access for lower-income families, particularly households with educational needs. The provider shall also provide retail rate discounts to existing public entities and nonprofits within the County.
- Local references of support – The provider provided demonstrated support by local governments in communities in which the provider currently provides services.
- Contractual Performance Measures – Once funds are appropriated by the County, the applicant and County shall contractually form fair and reasonable bonding, escrow, and other legal mechanisms that ensure project funds by both parties remain unencumbered for constructing infrastructure projects in the manner above.

WHEREAS on March 16, 2022, the Board of Supervisors has reviewed the bids in response to the Request for Proposals and has used the scoring matrix in the Request for Proposals to determine the lowest responsive, responsible bidder pursuant to Iowa Code sections 26.10 and 26.11.

THEREFORE BE IT RESOLVED, after consideration by the Mahaska County Board of Supervisors, has determined that Mahaska Communications Group (MCG) is the lowest responsive, responsible bidder. Pursuant to Iowa Code sections 26.9 and 26.12, no contract for public improvement will be awarded until after public hearing.

SmartSource will reach out to MCG and start contract language and a public hearing will need to be set.

Public Comments: None

It was moved by Wanders seconded by Webb to adjourn. All present voted aye. Motion carried.

Attest: _____
 Susan L. Brown
 Mahaska Co. Auditor

 Mark Groenendyk
 Mahaska Co. Board of Supervisors

March 7, 2021

The Mahaska County Board of Supervisors met in regular session on the above date at 9:00 a.m. in the third-floor conference room of the Mahaska County courthouse. Present were the following board members: Chairman – Mark Groenendyk; Vice chairman – Steve Wanders; and Member – Chuck Webb. Also present were Joe Lancello, KBOE; Darin Hite; Tom Flaherty; Jamey Robinson; Kim Newendorp; Andrew Ritland; Brian Jacobsen and Susan Brown, Mahaska County Auditor. This meeting was live streamed by Communications Research Institute of William Penn University. Meeting was opened with a moment of silence.

It was moved by Wanders seconded by Webb to approve the agenda for today's meeting with one change: move item 5: Set time and date for hearing on Mahaska County FY23 budget to follow item 14. All present voted aye. Motion carried.

Public comments: None

It was moved by Webb seconded by Wanders to open public hearing regarding proposed max property tax levy for FY 23. All present voted aye. Motion carried. There were no written or in person comments presented. It was moved by Webb seconded by Wanders to close public hearing. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the following resolution. Roll call vote: Groenendyk – aye. Wanders – aye. Webb – aye. Motion carried.

Resolution #2022-10
Approval of FY23 Maximum Property Tax Dollars

WHEREAS, the Mahaska County Board of Supervisors have considered the proposed FY23 county maximum property tax dollars for both General County Services and Rural County Services, and

WHEREAS, a notice concerning the proposed county maximum property tax dollars was published as required and posted on county website, and,

WHEREAS, a public hearing concerning the proposed county maximum property tax dollars was held on March 7, 2022,

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Mahaska County that the maximum property tax dollars for General County Services and Rural County Services shall not exceed the following:

General County Services: \$6,769,200; an increase of 2.87% from the prior year

Rural County Services: \$3,196,337; an increase of 2.46% from the prior year.

Passed and adopted this 7th day of March, 2022.

It was moved by Wanders seconded by Webb to set public hearing on Ordinance #62 for March 21, 2022 at 9:10 a.m. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve the bills for the month of February in total \$1,341,224.02. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to approve minutes of the February 22 meeting. Webb and Wanders aye. Groenendyk abstain. Motion carried.

It was moved by Wanders seconded by Webb to remove Ashley Van Polen from Sheriff's Dept payroll effective March 1, 2022. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to authorize signature on letter to local businesses regarding State HF2082. All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to make the following value changes to county owned buildings: Courthouse \$8,203,709. Main Shop/offices/equipment/highway storage \$2,350,489. Law Enforcement Center \$7,763,483. Truax Shop \$149,014. New Sharon Shop \$109,662. Mahaska Building \$750,000. Annex \$650,000. All other buildings listed on Gallagher Bassett Services 2021 updated building values will not change. All present voted aye. Motion carried.

A contract between county and 911 is needed before radios for radio communications system are handed out. A contract was extended to 911. Tabled until contract is presented to county.

It was moved by Webb seconded by Wanders to move into closed session with counsel per Iowa Code 21.5(1)(c) and Iowa Code 21.5(1)(i). (9:17 am) All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to return to open session. (10:56 am) All present voted aye. Motion carried.

It was moved by Wanders seconded by Webb to request a letter of recommendation from outside counsel for 911 funding purposes. All present voted aye. Motion carried.

It was moved by Webb seconded by Wanders to set public hearing for FY23 Mahaska County Budget on Monday, March 28, 2022 at 9:00 am. All present voted aye. Motion carried.

Public Comments: None

It was moved by Wanders seconded by Webb to adjourn. All present voted aye. Motion carried.

Attest: _____
Susan L. Brown
Mahaska Co. Auditor

Mark Groenendyk
Mahaska Co. Board of Supervisors

MAHASKA COUNTY ORDINANCE 62

**AN ORDINANCE OF THE MAHASKA COUNTY BOARD OF SUPERVISORS
ESTABLISHING THE VOTING PRECINCTS OF MAHASKA COUNTY, IOWA,**

_____.01 Purpose
_____.03 Repealer

_____.02 Voting Precincts
_____.04 Effective Date

_____.01: Purpose.

WHEREAS the Board of Supervisors of Mahaska County, Iowa is empowered and directed by Chapter 49.7 of the Code of Iowa to determine and establish the voting precincts for Mahaska County, Iowa;

NOW THEREFORE BE IT ORDAINED by the Mahaska County Board of Supervisors that the voting precincts of Mahaska County, Iowa be and hereby are established as follows:

_____.02: Voting Precincts:

1. Precinct One shall consist of Adams Township, that portion of Lincoln Township lying outside the corporate limits of the city of Oskaloosa except census blocks 1035, 1036, 1041, 1043, 1044, 1045, 1046, 2025, and 3028, Monroe Township, and that portion of Spring Creek Township lying outside the corporate limits of the city of Oskaloosa except that part of census block 2029 within the corporate limits of the city of Oskaloosa shall be included in Precinct One. Precinct One shall include the city of Keomah Village and the city of University Park.
2. Precinct Two shall consist of Black Oak Township, Richland Township, and Scott Township. Precinct Two shall include the city of Leighton and that portion of the city of Pella lying within Mahaska County.
3. Precinct Three shall consist of Cedar Township, Harrison Township, and White Oak Township. Precinct Three shall include that portion of the city of Eddyville lying within Mahaska County, the city of Fremont, and the city of Rose Hill.
4. Precinct Four shall consist of East Des Moines Township, that portion of Garfield Township lying outside the corporate limits of the city of Oskaloosa, Jefferson Township, and West Des Moines Township. Precinct Four shall include the city of Beacon. Precinct Four shall include those portions of Lincoln Township in Census Block 1043, 1044, 1045, 1046, 2025, and 3028.
5. Precinct Five shall consist of Madison Township, Pleasant Grove Township, Prairie Township, and Union Township. Precinct Five shall include that portion of the city of Barnes City lying within Mahaska County and the city of New Sharon.

6. Precinct Six shall consist of the city of Oskaloosa Ward 1.
7. Precinct Seven shall consist of the city of Oskaloosa Ward 2 and census blocks 1035, 1036, and 1041 in Lincoln Township.
8. Precinct Eight shall consist of the city of Oskaloosa Ward 3.
9. Precinct Nine shall consist of the city of Oskaloosa Ward 4.

_____.03: REPEALER. Ordinance 61 is hereby repealed.

_____.04: EFFECTIVE DATE. This ordinance shall be in effect immediately after its final passage and publication as provided by law.

By order of the Board of Supervisors.

Susan L. Brown
County Auditor